

Applicants respectfully believe, however, that the Examiner has confused the conventional uses for electrophoretic deposition (for coating articles such as cathode ray tubes) and the presently claimed use (for the manufacture of particulate tapes). The following remarks are provided to help alleviate this misunderstanding, and if additional clarifying information is needed, Applicants will promptly provide such to the Examiner upon request. For purposes of clarity, Applicants have introduced new claims 32-69 in the above Amendment.

### The §112 Rejections

Claims 1-17 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Specifically, the Examiner noted:

The claims are generally confusing and not understood. How is the tape formed? How is the material deposited and on what. This rises to enablement problems and applicants are requested to provide better claim language for examination.

Office Action at ¶ 16. The Examiner asserted an almost identical rejection to method claims 18-29.

Respectfully, Applicants believe that the Examiner is not giving the proper weight to the preamble of the claims and the application specification as those materials impact the interpretation of claimed elements. Specifically, the rejected Claim 1 includes the recitation of a particulate tape that is manufactured by electrophoretically depositing a first material. Each of these terms has a clearly prescribed meaning in the specification. For example:

As used herein, a *particulate tape* is defined as a ribbon or sheet of one or more particulate materials that are held together, for example, by a polymer



binder or matrix. A tape is not limited to specific physical sizes, shapes, properties, or orientations, and is not limited by conventional notions of "tapes" in other fields of the scientific arts. A tape may be patterned and need not be continuous.

Page 8, lines 18-19 and page 9, lines 1-3 (emphasis added). In light of this explicit definition, and the numerous specific examples throughout the specification, and common knowledge held by one skilled in the art, Applicants believe that answers to the Examiner's questions (above) are provided in the specification and that the claims are clear and properly enabled. Applicants therefore have not cancelled or amended independent claims 1 and 19, and respectfully request examination of those claims in view of the specification and the above remarks. Applicant's, likewise, request examination of newly presented Claims 32-69.

### **The §103 Rejection**

Additionally, the Examiner rejected Claims 30 and 31 under 35 U.S.C. §103 in light of U.S. Patent No. 4,482,447 to Mizuguchi et al. ("Mizuguchi"). Specifically, the Examiner indicated that Mizuguchi:

substantially teaches the claimed invention including an apparatus for making a particulate tape comprising a conductive carrier, means for applying electrical potential and an electrophoretic deposition bath containing counter electrodes.

Office Action at ¶ 18. However, Mizuguchi merely teaches a conventional method of using electrophoretic deposition to coat articles, specifically cathode ray tubes. See, col. 4, lines 19-25. Applicants do not claim all applications of electrophoretic deposition -- an old technical art -- but claim the novel approach of applying electrophoretic deposition to the creation of particulate tapes. Mizuguchi in no way teaches or implies using electrophoretic deposition to create all or part of a particulate tape. If Examiner requires additional background



information about particulate tapes to aid in the understanding of the present claims, such material can be provided by Applicants.

### New Claims

Although Applicants believe the original claims are allowable as filed, in order to further the prosecution of the present invention, Applicants have deleted original dependent claims 2-17 and 19-29 and have added new claims 32-69. New claims 32-69 are based on the originally filed claims but have been rewritten to more particularly point out that which Applicants believe is their invention. The new claims are directed toward the same subject matter as the originally filed claims, and each claim finds ample support throughout the specification.

Specifically, the new claims address the creation of a single or multiple component particulate tape by electrophoretically depositing a particulate material on a carrier. There are numerous examples of various methodologies and compositions described throughout the specification and selected features and examples have been included in the claims. Applicants have also included the concept of a "carrier" upon which the particulate material may be electrophoretically deposited and a "component" of the tape. These terms are also defined in the specification.

As used herein, a component of a particulate tape is defined as a spatially defined region of the tape containing particles that have a defined chemistry, morphology, orientation or crystal structure.

Page 9, lines 4-6 (emphasis added).

As used herein, a carrier is defined as the surface on which a particulate tape is formed. The carrier may be used to hold the tape in subsequent process steps, but it is not necessarily incorporated into the



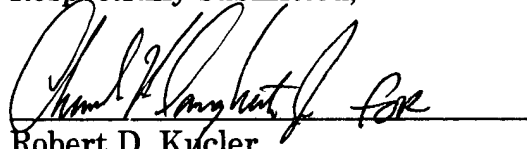
final product. The carrier can take the shape of a sheet, ribbon, belt, drum or other medium.

Page 9, lines 7-10 (emphasis added). These new claims were introduced to respond to the Examiner's concerns regarding the clarity of the originally filed claims.

### CONCLUSION

Each of the Examiner's rejections have been specifically addressed in the above remarks and/or amendments. In view of the amendments to the claims and the foregoing remarks, it is believed that the present application is in condition for final allowance, and early notice to such effect is respectfully requested. If the Examiner believes that additional issues need to be resolved before this application can be passed to issue, the undersigned invites the Examiner to contact him at the telephone number provided below.

Respectfully submitted,



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